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Alexandria, VA 22313-1450
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ATTN: PCT Legal Office
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Re: **PETITION TO CONVERT**

Dt: Tuesday, November 21, 2006

Total 11 page(s) including this cover sheet.

November 21, 2006

PETITION TO CONVERT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/598,933
Filing Date: Believed to be September 14, 2006
Title of Invention: Semiconductor wafer inspection device and method
First Inventor: Fumi NABESHIMA
Attorney Docket No.: PA214WP002
Assignee: Komatsu Electronic Metals Co., Ltd.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

Sir:

With regard to the captioned application, intended as a U.S. National Stage application pursuant to 35 USC 371:

Inadvertently, this application was filed using Form PT/SB/05 (Utility Patent Application Transmittal) instead of Form PTO-1390 (Transmittal Letter to the United States Designate/Elected Office (DO/EO/US) Concerning a Submission under 35 USC 371).

As such, it is our understanding that this application will be treated as a bypass continuation application under 1.11 and be examined.

We respectfully petition that this application be converted to the U.S. National Stage application pursuant to 35 USC 371, as was originally intended.

In support of this petition, attached please find (1) a copy of the inventors' executed Declaration, showing the international application number as PCT/JP2005/010051, and (2) a copy of the Electronic Filing Receipt, showing the Application Type as U.S. National Stage under 35 USC 37 (The International Application Number has since been corrected).

Please note that, as of the present date, no Notice of Acceptance has been received in this application.

The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 50-3546.

We respectfully request that the Commissioner look favorably on our petition.

Respectfully submitted,



Joseph P. Farrar
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JF/so

Attachments: 1) Inventors' Declaration (4 pages)
2) Electronic Acknowledgement Receipt (4 pages)

Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named inventor, I hereby declare that:

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Semiconductor wafer inspection device and method

上記発明の明細書はここに添付されているが、下記の額がチェックされている場合は、この限りでない：

the specification of which is attached hereto unless the following box is checked:

☐ _____ の日に出版され、
この出版の米国出版番号またはPCT国際出版番号は、
_____ であり、且つ
_____ の日に補正された出版（該当する場合）

☒ was filed on April 13, 2005
as United States Application Number or
PCT International Application Number
PCT/JP2005/007120 and was amended on
_____ (if applicable).

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編規則1.56に定義されている、特許性について重要な情報を開示する義務があることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231

Japanese Language Declaration (日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一国を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(e)項又は第365条(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日より前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Prior Foreign Application(s)
外国での先行出願

Priority Not Claimed
優先権主張なし

2004-117910

Japan

13/04/2004

(Number)
(番号)

(Country)
(国名)

(Day/Month/Year Filed)
(出願日/月/年)

☐

(Number)
(番号)

(Country)
(国名)

(Day/Month/Year Filed)
(出願日/月/年)

☐

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編119条(e)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Application No.)
(出願番号)

(Filing Date)
(出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主題が、米国法典第35編第112条第1段に規定された態様で、先行する米国出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願日との間の期間中に入手された情報で、連邦規則法典第37編規則1.58に定義された特許性に関わる重要な情報について開示義務があることを承諾する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Status: Patented, Pending, Abandoned)
(状況: 特許許可、係属中、放棄)

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Status: Patented, Pending, Abandoned)
(状況: 特許許可、係属中、放棄)

私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ情報と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを発覚した上で陳述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Japanese Language Declaration
(日本語宣言書)

委任状: 私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁理士及び/または弁理士を任命する。(氏名及び登録番号を記載すること)

38834
米国特許商標庁

書類送付先

直接電話連絡先: (氏名及び電話番号)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).
38834

PATENT TRADEMARK OFFICE

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		Citizenship Japan	
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第二共同発明者の署名	日付	Inventor's signature <i>Kazuya Togashi</i>	Date 5/9/2006
住所		Residence Hiratsuka-shi, Kanagawa, Japan	
国籍		Citizenship Japan	
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第三共同発明者がある場合、その氏名		Full name of additional inventor, if any Hiroshi JIKEN	
第三共同発明者の署名	日付	Inventor's signature <i>Hiroshi Jiken</i>	Date 4/9/2006
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Electronic Acknowledgement Receipt

EFS ID:	1193633
Application Number:	10598933
Confirmation Number:	2213
Title of Invention:	Semiconductor wafer inspection device and method
First Named Inventor:	Fumi Nabeshima
Customer Number:	44719
Filer:	Joseph Patrick Farrar
Filer Authorized By:	
Attorney Docket Number:	PA214WP002
Receipt Date:	14-SEP-2006
Filing Date:	
Time Stamp:	21:19:36
Application Type:	U.S. National Stage under 35 USC 371
International Application Number:	PCT/JP05/12345

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RAM confirmation Number	753
Deposit Account	503546

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Document Number	Document Description	File Name	File Size(Bytes)	Multi Part	Pages
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1	Drawings	fig01-fig06.pdf	494922	no	6
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2	Application Data Sheet	ADSKomatsuElec.pdf	412012	no	4
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Information:					
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3	Assignee showing of ownership per 37 CFR 3.73(b).	US_Assignment.pdf	72337	no	1
Warnings:					
Information:					
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5	Transmittal letter	NewUtilityPatentApplication.pdf	41043	no	2
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6		PKM050074PCT_SPEC.pdf	5050056	yes	39
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	Specification	1	34		
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Information:					

8	Assignee showing of ownership per 37 CFR 3.73(b).	pto1595RecordationFormCoverSheet.pdf	320316	no	3
Warnings:					
Information:					
9	Specification - Not in English	InternationalApplicationAsFiledandISR.pdf	1354625	no	29
Warnings:					
Information:					
10	Foreign Reference	WO01_0027600DOC2withAbstractandISR.pdf	1074489	no	29
Warnings:					
Information:					
11	Foreign Reference	2002-98645DOC1.pdf	2446697	no	8
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<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p>New Applications Under 35 U.S.C. 111 If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p>National Stage of an International Application under 35 U.S.C. 371 If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p>					